

TOWN OF POLK
SPECIAL TOWN BOARD MINUTES
November 3, 2009

I. Call Meeting to Order -7:30 P.M. - a Special Meeting of the Town of Polk Town Board was called to order by Chairman Albert Schulteis at 7:30 p.m. at the Polk Town Hall. The Pledge of Allegiance was recited and a moment of silence in honor of Veterans was held.

A. Official Meeting Notice - Chairman Albert Schulteis reported that the notice of the meeting was sent to the West Bend Daily News, the Hartford Times Press, WBKV, WTKM, Milwaukee Journal Sentinel and posted at the Town Hall, Highway View School, Cedar Hills bulletin boards, and also posted on the Town of Polk website.

B. Roll Call - Members present: Chairman Albert Schulteis, Supervisor Harold Groth, Supervisor Ted Merten, and Judy Stephenson, Zoning Secretary.

II. Public Hearing.

A. Conditional Use Application to sell and buy firearms and supplies at Gun Shows and at home, working as a gunsmith as a Home Business in accordance with Section 4.02 (1) of Title X of the Municipal Code of the Town of Polk for Fred Wartgow, 3040 S. Mayfield Road, Jackson, Wi. 53037. Tax Key #T9-0781, Section 25, 41.00 Acre Lot - Zoned A-1 Agriculture.

Judy Stephenson read the notice of Public Hearing. Chairman Schulteis opened the Public Hearing for public input.

Sylvia Cihlar - 3463 Sherman Road - asked what kind of work the Conditional Use Permit would cover.

Fred Wartgow stated he would be mounting scopes, refinishing of stocks, installation of chokes and many different things with regard to firearms but not building firearms.

Sylvia Cihlar - 3463 Sherman Road - asked if he would test and shoot the guns.

Fred Wartgow stated that his own personal use weapons are sighted but customers must go to a shooting range to test the guns. He further stated that he was not asking for a firing range permit.

Charlotte Kison - 3495 Sherman Road - asked what the definition of a conditional use is and will it change the zoning of the property.

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Albert Schulteis stated that the conditions of the conditional use would be addressed at the Plan Commission and include any concerns from neighbors but the A-1 Agricultural zoning would not change; hunting is allowed in Agricultural zoning and Mr. Wartgow has 41 acres. He further stated there may be a concern of neighbors who have cattle or horses because the animals get spooked by shooting as he has experienced with his own cows; Mr. Wartgow has cattle himself and is aware of the effect of gunfire on animals.

John Frey stated that a Conditional Use allows the Board to review the application and determine if it is an appropriate home occupation.

Sylvia Cihlar - 3463 Sherman Road - asked who would monitor the Conditional Use Permits.

Albert Schulteis stated that the Town would monitor through the Conditional Use Permit.

April Williams-Ginns - 3000 Mayfield Road - stated that she is a direct neighbor. She further stated that she has researched background for firearms and Mr. Wartgow has 2,500 to 3,000 regulations to consider for a license for buying and selling plus there is a \$500.00 payment to the ATF on July 1 of each year to get and maintain the Federal License; also, bookkeeping records are subject to Federal review. She stated that there is also the question of who this will bring into the community for the buying and selling of guns. Ms. Williams-Ginns also stated that there would be from 3 to 4 visits per year from agents every year who can go through his house and check security and everything else.

Fred Wartgow stated that he is aware of the regulations and his application has already been mailed into the Federal agency and he has paid the fee. He further stated that the ATF agent from Milwaukee will come out to inspect the home and property once the Town approval is obtained.

Robert Roecker - 3779 Hickory Lane - asked if the Town Board has to grant approval before the Federal license is issued.

Fred Wartgow stated that was correct.

Having no further comments from the public, Chairman Schulteis closed the Public Hearing.

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IV. Adjournment -

A motion to adjourn was made by Supervisor Ted Merten and seconded by Supervisor Harold Groth. Motion carried and Special Town Board meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Judy Stephenson
Zoning Secretary